

Before the Board of Zoning Adjustment, D. C.

PUBLIC HEARING -- May 18, 1966

Appeal No. 8744 Linwood M. Poindexter, appellant

The Zoning Administrator of the District of Columbia, appellee.

On motion duly made, seconded and unanimously carried, the following Order was entered at the meeting of the Board on May 31, 1966.

EFFECTIVE DATE OF ORDER -- July 20, 1966

ORDERED:

That the appeal for a variance from the rear yard requirements of the R-1-B District to permit erection of single family dwelling at Kenilworth Avenue and Meade Street, NE., lot 806, square 5099, be granted.

FINDINGS OF FACT:

(1) The subject property is roughly triangular in shape, the north lot line being 95.47 feet, the east lot line being 70.89 feet, the south lot line being 51.19 feet, and the west lot line being 55 feet.

(2) Appellant proposes to erect a single-family dwelling with the front facing Meade Street. Appellant states that the lot has a 15 foot setback requirement along Meade Street and the depth of the lot is only 55 feet, thus compliance with the current zoning regulations requiring a 25 foot rear yard would render the property virtually useless for a proposed dwelling.

(3) The property at the rear of the lot is owned by the District Government.

(4) Appellant states that Kenilworth Avenue is so heavily travelled that it does not lend itself to single family homes facing this street.

(5) Appellant's west property line abuts a 16 foot public alley.

(6) Section 3304.1 of the Zoning Regulations requires that single family dwellings in the R-1-B District be provided with a twenty-five (25) foot rear yard.

(7) No opposition to the granting of this appeal was registered at the public hearing.

OPINION:

We are of the opinion that appellant has proved a hardship within the meaning of the variance clause of the Zoning Regulations and that a failure to grant the relief requested will prevent a reasonable use of the property as zoned. Granting of the appeal will not adversely affect the use of neighboring property nor impair the intent, purpose and integrity of the zone plan as embodied in the Zoning Regulations and Map.